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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,293	09/27/2000	Bernd Sostawa	WESTPHAL.5761	6844
7590 10/04/2005			EXAMINER	
Patrick J O'Shea O'Shea Getz & Kosakowski PC 1500 Main Street Suite 912 Springfield, MA 01115			PHILIPPE, GIMS S	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on October 26, 2004 has been entered.

Drawings

2. In order to avoid abandonment, the drawing informalities noted in the paper mailed on October 28, 2003, must now be corrected. Correction can only be effected in the manner set forth in the above noted paper.

Response to Amendment

3. Applicant's arguments with respect to claim 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Seo et al. (US Patent no. 6208688).

Regarding claims 11 and 12, Seo discloses the same digital transcoding system for receiving data bit streams with a first bit rate and outputting a data bit stream with a second bit rate, which differs from the first bit rate and in particular is reduced relative thereto (See col. 3, lines 10-16), comprising on its input side a decoding device, which has an input buffer and a series-connected variable length decoder (See fig. 1, items R1 and 11), also, on its output side, a coding device (See Seo fig. 1, coder 14 and R2), which has a series circuit that includes a quantizer for requantizing with a requantization factor the data that have been dequantized in the decoding device, a subsequent VLC coder, and an output buffer (See fig. 1, items 12, 13, and 14 and col. 3, lines 16-22),

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wherein to adjust the second bit rate, the new DCT coefficients, which are to be conducted to the variable length coder, are determining with reference to macro-blocks (See Seo col. 3, lines 22-34).

6. Claims 1-10 are allowed.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zhu (US Patent no. 5870146) teaches device and method for digital video transcoding.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dastouri S. Mehrdad can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gims S Philippe
Primary Examiner
Art Unit 2613

GSP

September 29, 2005